

Sound Transit/WSDOT Re-Alignment Issue Paper No. 44

TOPIC:	Environmental Documentation Re-evaluation (For approved CE or EA)
ACTION SPONSOR TEAM:	Environmental Action Team
PRIMARY AUTHOR(S):	Carrie Deichl, FTA and Perry Weinberg, ST
APPLICABLE PROJECTS:	All Sound Transit Projects with FTA lead and FTA/FHWA co-lead
DATE OF FIRST DRAFT:	November 30, 2001
ISSUE:	What are the process and documentation requirements for a re-evaluation?
CURRENT STATUS:	Final
DATE APPROVED:	February 7, 2002

BACKGROUND:

FHWA and/or FTA must assure that the environmental documentation for the proposed action (CE, EA/FONSI, EIS/ROD) is still valid prior to proceeding with major project approvals or authorizations. This is accomplished through a re-evaluation, which is an assessment of any changes which may have occurred in either the project's concept or the affected environment, and a determination of what effects these changes might have on the validity of the environmental documentation.

This issue paper will suggest guidance on re-evaluation procedures for projects with a FONSI or CE determination.

Federal Regulations 23 CFR 771.129 provide re-evaluation requirements after DEIS, FEIS, or SEIS approvals.

FTA's main connection to the project's evolution is through the environmental process.

Important to emphasize that ANY NEPA document should be updated AS CHANGES OCCUR, throughout the project's evolution. Also important to emphasize that considering construction impacts is part of the NEPA process.

Decisions

A reevaluation may be necessary if:

- There are changes to the project scope (e.g. change in footprint, change in project impacts, added work outside project study area...)
- There are changes in environmental laws, regulations, ESA listings
- It has been more than three years since the last Federal action (e.g. ROW approval, funding approval, Added Access approval, authorization) resulting from this NEPA document

If a project includes WSDOT-owned facilities or requires a WSDOT design approval, or if WSDOT will advertise and award the contract, the WSDOT NW Division environmental office will determine the need for reevaluation of the NEPA documentation during the design and construction phases. Sound Transit will work with WSDOT on any reevaluations that are needed. The reevaluations will be provided to FTA and FHWA for approval.

WSDOT will review design plans and specifications (typically at the 30-60-90-100% level), value engineering proposals, permit conditions, agreements, construction change orders, contract amendments, etc. for any changes that require reevaluation. This is part of the standard WSDOT practice for projects.

If the project or portion of the project does not involve WSDOT-owned facilities or any approval action by WSDOT, ST will complete the reevaluation and forward it to FTA for initial review and comment. FTA will forward simultaneously to WSDOT for review and to FHWA to review and approve.

This is the standard for design-bid-build projects. The reevaluation process for design-build projects should be determined on an individual basis.

Use the current version of the Environmental Re-evaluation Consultation FHWA/FTA Co-Lead Projects Checklist with both FTA and FHWA signature blocks.

ENVIRONMENTAL ACTION TEAM DECISION ON ISSUE PAPER NO. 44: ENVIRONMENTAL DOCUMENTATION RE-EVALUATION

AGREED TO ON FEBRUARY 7, 2002 BY:



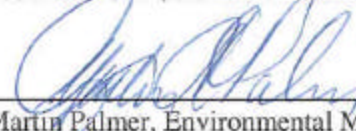
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